

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

PAINTERS DISTRICT COUNCIL NO. 2,)
et al.,)
))
Plaintiffs,))
))
vs.) Case No. 4:11-CV-1823 (CEJ)
))
DIVERSIFIED DRYWALL SYSTEMS,)
INC., and JAMES DEWEY COLLINS,)
))
Defendants.)

MEMORANDUM AND ORDER

This matter is before the Court on plaintiffs' motion for an order of contempt against defendants Diversified Drywall Systems, Inc., and James Dewey Collins for failure to comply with the Court's order directing defendants to produce records for inspection by plaintiffs. Defendants have not responded to the motion and the time for doing so has expired.

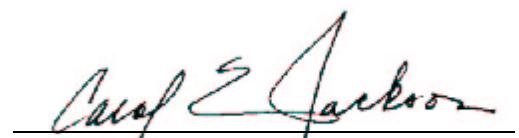
The Clerk of Court entered default against defendant Diversified Wall Systems, Inc., on November 18, 2011, and against defendant James Dewey Collins on December 6, 2011. On April 9, 2012, the Court granted plaintiffs' motion for a default order to compel an accounting. Defendants were ordered to "all books, ledgers, payroll records, bank statements and other documents reflecting or pertaining to all hours worked by and wages paid to employees of Diversified Drywall Systems, Inc., for the period beginning August 30, 2011, to the date of the audit." The deadline for compliance was May 11, 2012. The docket record reflects that a copy of the order was mailed to defendant Diversified at 2312 Stoneybrook Drive, O'Fallon, Missouri. Plaintiffs state that, "[d]espite attempted contact by plaintiffs' agents and payroll examiners," defendants have not produced the required documents.

Because it appears that defendants have not complied with the April 9, 2012 order,

IT IS HEREBY ORDERED that defendant James Dewey Collins shall appear in person before the United States District Court, 111 South Tenth Street, St. Louis, Missouri, 63102, Courtroom 14 North, on **Wednesday, July 18, 2012**, at 11:00 a.m., to show cause why he and Diversified Drywall Systems, Inc., should not be held in contempt for failing to comply with the Order entered on April 9, 2012. James Dewey Collins is warned that failure to appear in person may result in a finding of contempt and may expose him to fines and/or imprisonment.

IT IS FURTHER ORDERED that the United States Marshals Service shall serve a copy of this order upon James Dewey Collins and the Clerk of Court shall mail a copy of the order to him at the following address:

James Dewey Collins
Diversified Drywall Systems, Inc.
2312 Stoneybrook Drive
O'Fallon, Missouri 63368



CAROL E. JACKSON
UNITED STATES DISTRICT JUDGE

Dated this 20th day of June, 2012.